

REMARKS

Claim 1 is amended herein. Support for the amendment is found, for example, on page 55, lines 21-23 of the specification. Claim 9 is amended to correct a minor informality. No new matter is presented. Accordingly, upon entry of the amendment, claims 1-20 will be all of the claims pending in the application.

I. Response to Obviousness-Type Double Patenting Rejection

Claims 1-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of copending application No. 10/779,788 (U.S. 2004/017920 A1) in view of Oshima (EP 1176467 A1).

Applicants submit a Terminal Disclaimer herewith, thereby obviating the rejection. Accordingly, Applicants respectfully request withdrawal of the rejection.

II. Response to Claim Rejection – 35 U.S.C. §102

Claims 1-2, 4-5, 7-11, 13-14 and 16-20 are rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Aoshima et al (EP 1 235 107 A1).

Claim 1 is amended hereinto recite a binder polymer having a molecular weight of 5,000 or more.

The photopolymerizable composition of Aoshima comprises a binder polymer which may have a carboxylic acid group. The weight average molecular weight of the polymer is preferably 5,000 or more, and more preferably 10,000 to 300,000 (paragraph [0039]). However, Aoshima does not disclose a composition which additionally includes a carboxylic acid compound having a weight average molecular weight of 3000 or less as recited in independent

claim 1 of the present application as amended. Therefore, the claimed invention is not anticipated by Aoshima.

Applicants further submit that in the art, a binder polymer contained in a photosensitive composition is a binding agent for forming a photosensitive layer. In order to remove an unexposed area of the photosensitive layer using an alkali developing solution, the binder polymer usually has a carboxylic acid group. Also, the binder polymer usually has a weight average molecular weight of 10,000 or more.

In the present invention, in addition to a binder polymer, a carboxylic acid compound having a low molecular weight is contained in a photosensitive layer. As a result, penetration of an alkali developing solution into the photosensitive layer is facilitated; thereby development is facilitated. A molecular weight of higher than 3000 is not preferable because the carboxylic acid compound tends to adsorb into the substrate (see page 8, line 25 to page 9, line 2 of the present specification).

A photosensitive layer containing a binder polymer but not containing the carboxylic acid compound having a low molecular weight becomes firmly adhered to a support over time, causing incomplete development. On the other hand, a photosensitive layer of the presently claimed invention containing a carboxylic acid compound in addition to a binder polymer has stable solubility in an alkali developing solution for a long time, that is, it has an improved storage stability (raw stock storability). These advantages of the present invention which result from the specific carboxylic acid compound are described in the specification on page 6, lines 8-19.

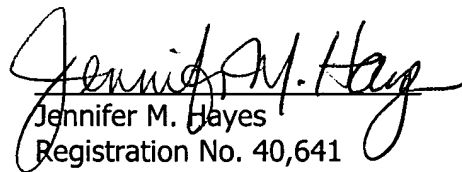
Aoshima neither teaches nor suggests the composition of the claimed invention or the above-described advantages of the claimed invention. Therefore, the claimed invention is not rendered obvious by Aoshima. Accordingly, Applicants respectfully request withdrawal of the rejection.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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